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7 *In pro per*

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15 Attorneys for Defendant, STEVEN T. KIRSCH

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

HOWARD HERSHIPS,

Plaintiff,

vs.

THE SUPERIOR COURT OF CALIFORNIA  
COUNTY OF CALIFORNIA, *et al.*,

Defendants.

Case No.: C 06-CV-6644 MJJ

**PROOF OF SERVICE**

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I, JOHN C. BROWN, declare that I am employed in the County of San Francisco, California, over 18 years old, and not a party to the instant action. My business address is 580 California Street, Suite 1600, San Francisco, CA, 94104. On July 18, 2008, I served the following documents: Notice of Motion to Dismiss; Memorandum in Support of Motion; [Proposed] Order — (By mail) on all parties, to the addresses below, by placing true copies thereof enclosed in a sealed envelope in a United States mailbox in San Francisco, California, with

1 the correct postage amount.

2 X **(By mail)** on the party identified below to the addresses below, by placing true  
3 copies thereof enclosed in a sealed envelope in the firm's outgoing mailbox. I am familiar with the  
4 firm's practice of collection and processing outgoing mail. It is deposited in a United States  
5 mailbox in San Francisco, California, on that same day in the ordinary course of business. I am  
6 aware that on motion of party served, service is presumed invalid if postal cancellation date or  
7 postage meter date is more than one day after date of deposit for mailing in affidavit.

8 — **(By personal delivery)** on all parties by personally delivering true copies thereof to  
9 the person and at the address set forth below before 5:00 p.m.

10 — **(By Federal Express)** on all parties by depositing true copies thereof in a sealed  
11 packet for overnight mail delivery, with charges thereon fully prepaid, in a Federal Express  
12 collection box, at San Francisco, California, and addressed as set forth below.

13 — **(By facsimile transmission)** on all parties by transmitting true copies thereof from  
14 the firm's facsimile machine to the facsimile machine number(s) shown below per written  
15 agreement between the party serving and the party receiving papers.

16 — **(By email)** on all parties below by sending true copies thereof to the email  
17 address(es) below, per written agreement between the party serving and the party receiving papers.

18  
19 Howard Herships

20 PO Box 190711

21 San Francisco, CA 94119-0711

22  
23 I declare under penalty of perjury that the foregoing is true and correct. Executed on July  
24 18, 2008, at San Francisco, California.

25 *John C. Brown*

26 JOHN C. BROWN